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5 IN THE UNITED STATES DISTRICT COURT
6
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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9 UNITED STATES OF AMERICA,

No. CR 11-00734 WHA

10 Plaintiff,

11 v.

**ORDER GRANTING LEAVE TO FILE
MOTION FOR RECONSIDERATION,
SETTING BRIEFING SCHEDULE, AND
CONSOLIDATING HEARING DATES**

12 WAYLAND GIBSON,

13 Defendant.
14 _____/

15 Defense counsel has filed a motion for leave to file a motion for reconsideration “with
16 respect to the Court’s determination that the June 26, 2010 search of the lower unit of the
17 O_____ Avenue residence was lawful.” The request is based on “a change of law occurring after
18 the time of such order,” namely, our court of appeal’s decision to hear *United States v. King*, 672
19 F.3d 1133 (9th Cir. 2012), en banc. Civil Local Rule 7-9(b)(2).

20 The motion for reconsideration as to this issue is **GRANTED**. In the briefing on the
21 motion for reconsideration, counsel shall address how the pendency of an en banc opinion in
22 *King* will impact this case. The motion for reconsideration shall be filed by **JUNE 18, 2012**. The
23 opposition is due **JULY 2**. The reply is due **JULY 9**. The motion will be heard at **2 P.M. ON JULY**
24 **17**. The motions for acquittal and new trial will also be heard at **2 P.M. ON JULY 17**.

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26 **IT IS SO ORDERED.**

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28 Dated: June 1, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE